

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ANN MARIE ROSE BAKER, M.D.,
PLAINTIFF,

V. CIVIL ACTION NO. 4:08-cv-01908

UNIVERSITY OF TEXAS HEALTH SCIENCE
CENTER - HOUSTON AND THE UNIVERSITY OF
TEXAS SYSTEM MEDICAL FOUNDATION,
DEFENDANTS.

PLAINTIFF'S, ANN BAKER, MOTION TO CONTINUE
INITIAL PRETRIAL AND SCHEDULING CONFERENCE

Plaintiff, Ann Marie Baker, files this her motion to continue the initial pretrial and scheduling conference currently set for September 15, 2008, at 4:30 p.m. Plaintiff would show unto the Court as follows:

1. Plaintiff filed her Original Complaint on June 16, 2006¹. The Order for Initial Pretrial and Scheduling Conference by Telephone and Order to Disclose Interested Persons was set by the Court on June 19, 2008.² However, Plaintiff did not request issuance of her summons until August 12, 2008.³

During the months of June and July 2008, Appellant's counsel has been the main individual handling docketed legal matters for the office; other key legal support

¹ See docket text entry No. 1.

² See docket text entry No. 2.

³ See docket text, dated August 29, 2008.

staff, three individuals have been on leave from the office. In that regard, upon return of two of the individuals, Plaintiff's counsel noticed the oversight as to the issuance of summons in this case, and thereafter, proceeded by requesting same through the District Clerk.

2. Subsequently, on August 12, 2008, Plaintiff requested issuance of two summonses by the Clerk in Galveston, Texas, surrounding this case. On August 19, 2008, the summonses were returned to our office with the notation, "unable to issue summons to Δ w/et al. Must name one Δ per summons" and initialed. On August 20, 2008, per the Clerk's instructions, Plaintiff requested issuance of the two (2) summonses, and on August 28, 2008, those summonses were issued by the Clerk.

3. Accordingly, Plaintiff's counsel requests that the Court reset the initial pretrial and scheduling conference to allow service upon Defendants and to provide Defendants the requisite time to answer.

DATE: September 2, 2008.

Respectfully submitted,

/S/ ANTHONY P. GRIFFIN

ANTHONY P. GRIFFIN
ATTORNEY-IN-CHARGE

A GRIFFIN LAWYERS
1115 MOODY
GALVESTON, TEXAS 77550
409.763.0386
1.800.750.5034
FACSIMILE NO. 409.763.4102

STATE BAR NO. 08455300
FEDERAL I.D. NO. 4736

ATTORNEYS FOR PLAINTIFF
ANN MARIE ROSE BAKER